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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,444

02/15/2006

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EXAMINER

WALDBAUM, SAMUEL A

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,444	Applicant(s) KIM, KYUNG LAE	
	Examiner SAMUEL A. WALDBAUM	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/15/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claim 8 (where the edge of the securing slot is chamfered or rounded) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. Claims 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 5 is indefinite. Claim 4 states that the sliding latch is formed on the display unit. Claims 5 also states that the sliding latch is formed on the front panel. These claim would require a latch to be formed on the front of the display unit and on the front panel but there is one placement of the slot to receive the latch. Hence this claim is indefinite.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6, 12-14 and 16 rejected under 35 U.S.C. 102(b) as being anticipated by Stottmann (U.S. 5,453,586, hereafter '586).

5. Claims 1, 13 and 16: '586 teaches a dishwasher (fig. 1) with a control panel (fig. 2, part 31) a front panel (fig. 2, part 34) and a front display unit (fig. 2, part 14 and 18) with slidingly latch coupling the display unit to the control panel (col. 2, lines 29-col. 3, lines 23).

6. Claims 2, 3 and 14: '586 teaches that the sliding latch and mounting slot are formed in pairs opposite each other (fig. 2 and 4, col. 2, lines 29-col. 3, lines 23).

7. Claim 6: '586 teaches that the sliding latch includes an extending portion and a bent portion (fig. 4, part 32).

8. Claim 12: `586 teaches that the front panel includes a display window (fig. 2, parts 37 and 36).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 7-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stottmann (U.S. 5,453,586) as applied to claim 1 and 16 above further in view of Wuestefeld (U.S. pgpub 2004/0201337, hereafter `337).

`586 teaches all the limitations of claims 1 and 16.

11. Claims 7 and 8: `586 teaches that the slot is one size. `337 is solving the same problem as the applicant of find a quick simple way of connecting elements. `337 is also a dishwasher. `337 teaches a sliding latch (fig. 3, part 28, is the latch) with a slot for that latch having a varying width (fig. 4, part 36, with a large width at the top for insertion of the fastener, part 37, [0020] with a narrower width at the lower section of the slot, fig. 4 for securing the latch), where the

edge of the slot is rounded (fig. 4). All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention, meaning that the insertion slot as taught by `337 can be the slot of apparatus `586 to yield the predictable result of having a enlarged spaced for insertion of the latch and a narrower space for securing the latch.

12. Claims 17 and 18: See claims 6, 7 and 8 above. Where the latch is inserted to the slot and the sliding the latch into a locking position where this sliding movement is taught by `586 (col. 2, lines 29-col. 3, lines 23) and by `337 ([0016]-[0020]).

Claims 9-11, 15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stottmann (U.S. 5,453,586) as applied to claim 1, 13 and 16 above further in view of Dingler (U.S. 6,045,205, hereafter `205).

`586 teaches all the limitations of claims 1, 13 and 16.

13. Claims 9-11 and 15: `586 does not teach a positioning tab and aperture for the tab. `205 is a dishwasher. `205 teaches using a positioning tab and an aperture for the tab to have allowed elements to positioned correctly during assembly (col. 2, lines 9-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a positioning tab and aperture as taught by `205 in apparatus `586 to have positioned the front display window on the control panel after the later movement is completed to make sure the two components are in the correct position.

14. Claims 19-20: See claims 9-11 and 5 above.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Michael et al, U.S. 5,366,185 is a control panel apparatus and method of mounting using a sliding latch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL A. WALDBAUM whose telephone number is (571)270-1860. The examiner can normally be reached on M-TR 6:20-3:50, F 6:30-10:30 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. A. W./
Examiner, Art Unit 1792

/FRANKIE L. STINSON/
Primary Examiner, Art Unit 1792